

§ 63.1593 How will the EPA determine if I am in compliance with this subpart?

(a) The Administrator will determine compliance with this subpart by reviewing your reports and records or by inspecting your POTW treatment plant.

(b) If you fail to comply with any or all of the provisions of this subpart, you will be considered in violation of this subpart. For example, failure to perform any or all of the following, specified in § 63.1588, would be a violation: failure to visually inspect the cover on your treatment unit, failure to repair a defect on a treatment unit in use within the specified time period, failure to report a delay in repair, failure to determine your POTW's annual HAP emissions when your new or reconstructed POTW becomes subject to this subpart, failure to demonstrate that your POTW achieves an HAP fraction emitted of 0.014, or failure to demonstrate that your POTW is in continuous compliance with the requirements of § 63.1586(b).

(c) Your POTW treatment plant may be exempted from compliance with this subpart if the President determines that the technology to implement these standards is not available, and that it is in the national security interests of the United States to do so. This exemption may last for up to 2 years at a time and may be extended for additional periods of up to 2 years each.

§ 63.1594 Who enforces this subpart?

If the Administrator has delegated authority to your State, then the State enforces this subpart. If the Administrator has not delegated authority to your State, then the EPA Regional Office enforces this subpart.

§ 63.1595 List of definitions.

Affected source means the group of all equipment that comprise the POTW treatment plant.

Area source means any stationary source of HAP that is not a major source.

Cover means a device that prevents or reduces air pollutant emissions to the atmosphere by forming a continuous barrier over the waste material man-

aged in a treatment unit. A cover may have openings (such as access hatches, sampling ports, gauge wells) that are necessary for operation, inspection, maintenance, and repair of the treatment unit on which the cover is used. A cover may be a separate piece of equipment which can be detached and removed from the treatment unit, or a cover may be formed by structural features permanently integrated into the design of the treatment unit. The cover and its closure devices must be made of suitable materials that will minimize exposure of the waste material to the atmosphere, to the extent practical, and will maintain the integrity of the cover and its closure devices throughout its intended service life.

Fraction emitted means the fraction of the mass of HAP entering the POTW wastewater treatment plant which is emitted prior to secondary treatment. The value is calculated using the following steps:

(1) Determine mass emissions from all equipment up to but not including secondary treatment for each HAP listed in Table 1 to subpart DD of this part;

(2) Sum the HAP emissions (ΣE);

(3) sum the HAP mass loadings (ΣL) in the influent to the POTW wastewater treatment plant; and

(4) Calculate the fraction emitted (f_{monthly}) using $f_{\text{monthly}} = \Sigma E / \Sigma L$.

HAP means hazardous air pollutant(s).

Industrial POTW means a POTW that accepts a waste stream regulated by an industrial NESHAP and provides treatment and controls as an agent for the industrial discharger. The industrial discharger complies with its NESHAP by using the treatment and controls located at the POTW. For example, an industry discharges its benzene-containing waste stream to the POTW for treatment to comply with 40 CFR part 61, Subpart FF—National Emission Standard for Benzene Waste Operations. This definition does not include POTW treating waste streams not specifically regulated under another NESHAP.

Industrial user means a nondomestic source introducing any pollutant or combination of pollutants into a